

SPECIAL REPORT

The Anti-Hispanic Republican Congress 1995-2000

The GOP Record – Inside



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“THE ANTI-HISPANIC REPUBLICAN CONGRESS, 1995-2000”

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EXECUTIVE SUMMARY

“THE ANTI-HISPANIC REPUBLICAN CONGRESS, 1995-2000”

In orchestrating their national political convention this summer, Republicans went out of their way to put a face of diversity forward. Specifically, Republicans appointed three members of Congress – one Hispanic, one female, and one black – to leadership roles for their Philadelphia convention in hopes of presenting an image of diversity. Reps. Henry Bonilla of Texas, Jennifer Dunn of Washington, and J.C. Watts of Oklahoma were the deputy permanent chairmen of the Republican Convention.

During the convention, candidate Bush “advertised the ‘new Republican Party’ as one that welcomes minorities and the party took pains to showcase blacks, Asians and Hispanics.” (AP, 8/7/00) While highlighting minorities on stage, the GOP convention was made up of delegates who were not representative of America. In fact, black and Hispanic delegates made up less than 10% of the GOP convention delegates.

The GOP convention was just one part of a two-year attempt Republicans have made to improve their image with Hispanics through cosmetic fixes.

The fact is that when the GOP took control of the Congress in 1995, they began an assault on Hispanics. Following the lead of then-Governor Pete Wilson of California, Republicans attempted to use “wedge” issues like cutting aid to immigrants to score political points. In the 104th and 105th Congresses, the Republican majority took such actions as the following: attempting to intimidate Hispanic voters, voting to completely eliminate the social safety net for legal immigrants, attempting to restrict Hispanic immigration, working to roll back affirmative action, trying to undercount Hispanics in the 2000 Census, working to enact “English-only” legislation, and voting to restrict access to education for Hispanic children.

In the 1996 and 1998 elections, Republican candidates did not fare well with Hispanic voters. As a result, in the 106th Congress, Republicans have tried to soften their rhetoric and appear more inclusive. However, the GOP anti-Hispanic agenda has not fundamentally changed. For example, in this Congress, Republicans have held up the nomination of highly-qualified Hispanic judges, continued their assault on bilingual education and other important Hispanic education initiatives, and refused to act on important civil right issues like racial profiling. Now, in the last days of the 106th Congress, reflecting the continuing anti-Hispanic slant of the GOP-controlled Congress, Republicans have dug in their heels against agreeing to two key issues requested by the Administration and Democrats that are critically-important to the Hispanic community:

- The Latino and Immigrant Fairness Act, which would bring fairness to the nation’s immigration laws by at long last stabilizing the status of some immigrant groups who have lived, worked, and paid taxes in the United States for many years; and

- President's \$2.5 billion five-year package in his FY 2001 budget restoring benefits to certain legal immigrants, including allowing states to provide health care to certain legal immigrant children and their families and pregnant women.

Indeed, this DPC Special Report shows that Congressional Republicans have a consistent six-year record of pursuing an anti-Hispanic agenda. The report contains the following 13 sections, that document the six-year GOP assault against Hispanics:

- **Intimidating Hispanic Voters** – Through their lengthy investigation into the election of Rep. Loretta Sanchez (D-CA) in 1997-98, the “voter fraud” bill they attempted to enact in 1998, and the series of measures they brought forward in 1998 designed to set up new barriers to keep Hispanic citizens and other minorities from voting, Republicans have a consistent record of attempting to intimidate Hispanic voters.
- **Attempting to Restrict Hispanic Immigration** – In the 105th Congress, Republicans introduced legislation making it harder to become a naturalized citizen and promoted policies to force hundreds of thousands of immigrants currently in the United States to be deported. Now in the 106th Congress, Republicans have spent months blocking the “Latino and Immigrant Fairness Act,” which would restore fairness to U.S. immigration law.
- **Standing in the Way of Latino Nominations to the Federal Bench** – Since Republicans took charge in 1995, Hispanic-American judicial appointees have been forced to wait longer for Senate votes than any other ethnic group. For example, in the 106th Congress, the Senate has taken 359 days on average to confirm Hispanic-American judicial appointees, more than double the average time it took for Caucasian male appointees to be confirmed (159 days).
- **Attempting to Undercount Hispanics in the 2000 Census** – Republicans have spent the last four years trying to ensure that the Census Bureau could not use sampling in the 2000 Census – a technique that many experts believe is the only way to correct the problem of the undercounting of certain populations, including minorities. Now, Republicans are planning to challenge sampling in the courts.
- **Eliminating the Social Safety Net for Legal Immigrants** – From voting to deny legal immigrants access to Food Stamps, SSI, and Medicaid in 1996 to attempting to block the Administration's plan to restore Food Stamps to 250,000 legal immigrants in 1998 to blocking the Administration's request to allow states to provide healthcare to certain legal immigrant children in 2000, the Republicans have a six-year record of trying to eliminate the social safety net for legal immigrants.
- **Refusing to Protect the Civil and Legal Rights of All** – Over the last six years, congressional Republicans have voted to cut key civil rights enforcement and legal services budgets and undermine the Community Reinvestment Act to ensure fair bank lending practices in low-income and minority communities and have blocked action on key civil rights legislation such as racial profiling and hate crimes legislation.

- **Opposing Affirmative Action** – Over the last six years, congressional Republicans have made several efforts to roll back affirmative action, including an effort to abolish affirmative action in public colleges and an effort to abolish the Disadvantaged Business Enterprises Program, which sets the goal of providing 10% of transportation projects to businesses owned by women and minorities.
- **Promoting “English-Only” Legislation** – The “English-Only” campaign, popular among right-wing ideologues, is a direct attack on the cultural heritage of the millions of people in this country who speak other languages. In 1996, Republicans passed an unnecessary and mean-spirited bill which would have declared English the official language of the U.S. government and required the federal government to conduct official business in English. In 1998, they made a similar effort.
- **Undermining Educational Opportunities for Hispanic Children** – Republicans have repeatedly voted to significantly cut such programs as bilingual and immigrant education and adult literacy. In addition, they have tried to block the Clinton Administration’s education initiatives that would particularly benefit Hispanic children, such as the Class Size Reduction Initiative and the School Modernization Initiative.
- **Calling for Partial Privatization of Social Security** – The future of Social Security is particularly important to Hispanics. Indeed, Social Security is the only source of retirement income for 33% of elderly Hispanics. And yet Republicans are promoting a plan to partially privatize the Social Security program that could result in cutting the level of guaranteed benefits that Social Security provides.
- **Holding Up Central American Disaster Assistance** – In the 105th Congress, Republicans held up desperately-needed emergency disaster assistance in order to achieve certain anti-Latino provisions, such as banning sampling in the 2000 Census. In this Congress, Republicans held up for more than three months emergency disaster assistance for Central America – aid needed to respond to Hurricane Mitch, the worst natural disaster ever to strike the Western Hemisphere.
- **Blocking A Positive Agenda for Working Families** – In addition to trying to pass legislation that would be harmful to Hispanics, Republicans have also tried to block key initiatives that would be beneficial to working families – particularly to Hispanic working families who often have low or moderate incomes. These initiatives have included adding a prescription drug benefit to Medicare, expanding access to health care, and raising the minimum wage.
- **By Contrast, Major Democratic Accomplishments Important to Hispanic Americans** – Finally, the report provides an overview – in contrast to GOP attempts to undermine Hispanic interests – of major Democratic accomplishments over the last six years important to Hispanic Americans. These have included Democrats winning key investments in key education initiatives, including Hispanic Serving Institutions, winning full funding for the COPS program, and winning enactment of the Children’s Health Insurance Program (CHIP).

INTRODUCTION

In orchestrating their national political convention this summer, Republicans went out of their way to put a face of diversity forward. Specifically, Republicans appointed three members of Congress – one Hispanic, one female, and one black – to leadership roles for their Philadelphia convention in hopes of presenting an image of diversity. Reps. Henry Bonilla of Texas, Jennifer Dunn of Washington, and J.C. Watts of Oklahoma were the deputy permanent chairmen of the Republican convention.

During the convention, candidate Bush “advertised the ‘new Republican Party’ as one that welcomes minorities and the party took pains to showcase blacks, Asians and Hispanics.” (AP, 8/7/00) While highlighting minorities on stage, the GOP convention was made up of delegates who were not representative of America. In fact, black and Hispanic delegates made up less than 10% of the GOP convention delegates.

The GOP convention was just one part of the two-year attempt Republicans have made to improve their image with Hispanics through cosmetic fixes.

The fact is that when the GOP took control of Congress in the 1994 elections, they began an assault against Hispanics. Following the lead of then-Governor Pete Wilson of California, Republicans attempted to use “wedge” issues like cutting aid to immigrants to score political points. For example, during the campaign of 1994, Republicans led the charge for the passage of Proposition 187 in California, which prohibited individuals suspected of being illegal immigrants from receiving public social service benefits, public health benefits, and a public education.

Similarly, in the campaign of 1996, Republicans strongly supported Proposition 209 in California, an extreme initiative to eliminate affirmative action programs that had expanded opportunities for Hispanics and others. California Proposition 209 has reduced economic and educational opportunities for women and minorities in California by abolishing all state affirmative action programs in public education, public contracting, and public employment.

After winning control of the House and Senate in 1994, Republicans spent the 104th Congress (1995-1996) and the 105th Congress (1997-1998) taking actions such as the following that were blatantly punitive to Hispanics: attempting to intimidate Hispanic voters, voting to completely eliminate the social safety net for legal immigrants, attempting to restrict Hispanic immigration, working to roll back affirmative action nationwide, trying to undercount Hispanics in the 2000 Census, working to enact “English-only” legislation, and voting to restrict access to education for Hispanic children.

Not surprisingly, as a result of these punitive measures, Republicans developed a serious problem with Hispanic voters. In the 1996 and 1998 congressional elections, Republicans fared poorly at the polls with Hispanics – one of the fastest growing groups of voters in the country.

Specifically, in the 1996 election, Hispanic voters chose Democrats for Congress by an overwhelming 72% to 26% margin (Voter News Service, as cited in *Roll Call*, 11/17/97). In the 1998 election, the margin was not quite as dramatic – but Republican congressional candidates still won only 35% of the Hispanic vote.

As a result of these dismal statistics, GOP consultants and pollsters became painfully aware of the problems that Republican candidates were having attracting Hispanic votes. Indeed, in the spring of 1997, Republican pollster Frank Luntz cautioned that *“Republicans barely maintained their Congressional majority in 1996, and a major reason ... was the utter collapse of the Hispanic vote”* (*Language of the 21st Century*). In August 1997, conservative columnist Paul Gigot predicted that *“unless Republicans repair their fractured relations with [California] Hispanics, the party will soon be a permanent minority”* (*Wall Street Journal*, 8/22/97). Similarly, in 1999, veteran Republican consultant Stu Spencer wrote a memo warning fellow Republicans that the Republican Party risks “political suicide and dooms itself to permanent minority status in California” if it does not try to connect with Hispanic voters. (*National Journal*, 8/7/99)

However, in 1999 and 2000, rather than modifying their positions on key issues in order to begin attracting Hispanic voters, instead Republicans have manufactured a series of cosmetic fixes to their problems with the Hispanic community.

For example, Congressional Republicans have spent the past two years trying to tone down their anti-immigrant rhetoric. Also, knowing that their slim majority in the House could be lost if they continued their frontal assault on Hispanics, they have recently carefully avoided certain issues (such as affirmative action).

Congressional Republicans appear to be relying on their Spanish-speaking Presidential nominee to help heal the wounds with Hispanics. While many have touted George W. Bush as a model for GOP success with Hispanics, Governor Bush agrees with much of the congressional GOP agenda like opposing statistic sampling in the Census, even though the 1990 undercount in the Census cost Texas \$934 million in federal funding. Governor Bush has also refused to speak out against the Republican-controlled Senate which has spent the year stalling Hispanic judicial nominations.

The fact of the matter is that the GOP anti-Hispanic agenda has not fundamentally changed. For example, as the 106th Congress ends, Republicans are refusing to agree to two key issues that are very important to the Hispanic community: the Latino and Immigrant Fairness Act and restoring benefits to certain legal immigrants.

In short, what the Republican Convention and other gestures cannot hide is the relentless anti-Hispanic agenda Republicans have been advancing since they first took control of Congress in 1995. Indeed, this Special Report will show that Congressional Republicans have a consistent six-year record of waging an assault against Hispanics.

INTIMIDATING HISPANIC VOTERS

Instead of modifying their positions on key issues in order to attract Hispanic votes, over the last six years Republicans have used a more direct, but deadly approach: trying to discourage Hispanic citizens from voting in the first place through intimidation. Through such steps as the Dornan-Sanchez investigation in California and “voter fraud” legislation aimed at suppressing Hispanic voter turnout, Republicans have engaged in a relentless campaign to disenfranchise Hispanic citizens.

Dornan-Sanchez Investigation

On February 4, 1998, House Republicans finally ended their year-long investigation into Democratic Congresswoman Loretta Sanchez’s 1996 victory over Republican Bob Dornan in California’s 46th congressional district.

Through this year-long investigation, Republicans singled out Congresswoman Sanchez — a Hispanic woman who was duly certified the winner in 1996 by the Republican Secretary of State of California after an extensive recount — and the Hispanic citizens of Orange County, California for an unprecedented level of scrutiny and harassment. Republicans abused their power by conducting a prolonged, intrusive, partisan, political, and unnecessary investigation — at a cost to the taxpayers of **over one million dollars**. Republicans alleged widespread voter fraud by Hispanics who were not citizens, but never produced the evidence.

The House Republican Leadership had a clear purpose in pursuing the Dornan-Sanchez investigation: to harass and intimidate Hispanic voters. Of all the close elections in 1996, Republicans chose to check the citizenship of voters in exactly one district — a district with a largely Hispanic population represented by an Hispanic woman. As Becky Cain, President of the nonpartisan League of Women Voters observed, the Republican investigation was “*carried out in ways that may intimidate future voters...*” (*Los Angeles Times*, 7/13/97).

“Voter Fraud” Legislation

One of the Republicans’ motives for the Dornan-Sanchez investigation was to lay the groundwork for legislation making it harder for Hispanic citizens to vote. The *Los Angeles Times* reported this on November 12, 1996, writing that “*Dornan...[said] his Republican colleagues are seeking a case to use in challenging [voter] registration procedures nationwide.*” Even though they failed to produce evidence of voter fraud in the Dornan-Sanchez contest, Republicans proceeded full speed ahead in 1998 on their fictitious anti-fraud crusade by promoting a series of measures to make it more difficult for Hispanic citizens to vote.

For example, on February 12, 1998, 203 House Republicans voted for a bill introduced by Rep. Steve Horn (R-CA) which would have denied millions of American citizens their constitutionally-protected right to vote (House Vote #17,2/12/98). Through a costly, cumbersome,

and deeply flawed federal "citizenship confirmation" system, the Horn bill would have empowered local election officials to remove American citizens from the voter rolls, solely on the basis of an "ethnic-sounding" name, or the fact that they lived in a predominantly minority neighborhood. Fortunately, the Horn bill did not pass because it was brought up under suspension of the rules and failed to receive a two-thirds majority (the vote was 210 to 200).

The Horn bill was just the beginning of a Republican campaign in 1998 to disenfranchise Hispanic citizens. When campaign finance reform legislation was brought to the House Floor in July 1998, Republicans offered a series of amendments that would have set up new barriers to keep Hispanic citizens and other minorities from voting. Fortunately, these amendments failed. These Republican amendments included:

Amendment to Repeal Motor-Voter Law. Goodlatte (R-VA) amendment to the Shays/Meehan substitute to repeal mail-in voter registration, require proof of citizenship and full Social Security numbers when registering to vote, and require photo ID at the polls. This amendment would have undone Motor-Voter legislation, threatened individual privacy rights, and increased the likelihood of voting rights violations against Hispanic Americans. Amendment failed 165-260 (Vote #358), July 30, 1998. (PRO-HISPANIC POSITION - N)

Amendment to Require Photo ID at Polling Booths. Wicker (R-MS) amendment to the Shays/Meehan substitute to allow states to require photo ID at the polls without Voting Rights Act protections against discrimination. This amendment would have affected states with high minority populations and a history of violating their voting rights. It would have had a disparate impact on the Latino community. Amendment failed 192-231 (Vote #359), July 30, 1998. (PRO-HISPANIC POSITION - N)

Amendment to Create Voter Verification System. Peterson (R-PA) amendment to Shays/Meehan substitute to amend the Social Security and Immigration and Naturalization Acts to establish a voter verification program through a federal pilot program. This amendment would have threatened the privacy and voting rights of minorities and would have had a chilling effect on voter participation. Amendment failed 165-260 (Vote #366) July 30, 1998 (PRO-HISPANIC POSITION - N)

Amendment to Prohibit Bilingual Voting Assistance. Barr (R-GA) amendment to the Shays/Meehan substitute to repeal the language assistance provisions of the Voting Rights Act of 1964 as amended in 1994. This amendment would have prohibited the use of bilingual ballots and bilingual assistance and would have denied equal access to the vote for language-minority citizens. Amendment failed 142-267 (Vote #367), July 31, 1998. (PRO-HISPANIC POSITION - N)

As the executive director of NALEO (National Association of Latino Elected and Appointed Officials) observed at the time, *"These amendments would encourage discrimination against ethnic and racial minorities, thereby suppressing Latino voter participation."*

Furthermore, in the 106th Congress, Rep. Bob Stump (R-AZ) has introduced a bill (H.R. 38) to repeal the landmark "Motor Voter Act" of 1993, which has helped register millions of previously disenfranchised American citizens, including many Hispanics. In fact, most of the

growth in Hispanic registration over the last seven years can be attributed directly to the Motor Voter legislation.

“Poll-Watching” Program

Finally, in January 1998, the Republican National Committee met to discuss a “poll-watching” campaign for the 1998 elections, clearly directed at intimidating minority voters. Here is how the Los Angeles Times reported this meeting, “Republican Party officials presented a plan to a national meeting here this weekend that would place poll watchers at key precincts on election day.” (*Los Angeles Times*, 1/18/98). It is unclear how this plan was ultimately implemented.

However, Republicans should know better, since their party has a very bad history on poll-watching. In 1988, Republicans in Orange County, California stationed uniformed guards outside polling booths to intimidate minority voters, resulting in a half-million-dollar lawsuit. Also, in 1998, the Republican party admitted violating a federal court order in New Jersey by conducting a poll-watcher program which specifically targeted minority voters.

ATTEMPTING TO RESTRICT HISPANIC IMMIGRATION

One of the issues that is nearest to the hearts of Hispanic Americans is immigration. Many Hispanic citizens were immigrants themselves, or have parents who immigrated to this country. The American tradition of welcoming people from other countries and encouraging them to become citizens is therefore particularly important to Hispanic Americans.

In the 105th Congress, Republicans took several actions that trampled on the long tradition of immigration in this country, including: introducing legislation making it harder to become a naturalized citizen; and promoting policies to force hundreds of thousands of aliens currently in the United States to immediately be deported.

In the 106th Congress, rather than directly trying to implement punitive immigration measures, Republicans instead have spent the entire two years blocking the provisions of an important immigration measure – the “Latino and Immigrant Fairness Act” – designed to restore fairness to U.S. immigration law. The Latino and Immigrant Fairness Act contains three key provisions – to give refugees who fled El Salvador, Guatemala, Honduras, Liberia, and Haiti the same opportunity to apply for permanent residence as was extended to Nicaraguans and Cubans in 1997; to change the “registry date” to 1986, thereby permitting individuals who have been in the country since before 1986 to apply for legal residence; and to reinstate section 245(i), thereby once again allowing sponsored immigrants to finish their applications for permanent residence from the U.S.

In the final budget negotiations, Congressional Democrats are insisting that these provisions be included in the Commerce-Justice-State Appropriations conference report before it is sent to the President – whereas Congressional Republicans are insisting that the provisions be significantly weakened and watered down. As of press time, it is unclear how these final negotiations will be resolved.

105th Congress

In the 105th Congress, Republicans actively pursued punitive immigration measures, such as those described below.

Making It Harder to Become a Naturalized Citizen

On November 6, 1997, Senator Spence Abraham (R-MI) and Rep. Lamar Smith (R-TX), who chair the Judiciary Subcommittees on Immigration, introduced a bill (S. 1382; H.R. 2837) which would make it harder for Hispanics and other immigrants to become naturalized citizens.

Under the guise of ensuring that criminals are not naturalized, the Abraham-Smith bill made it more difficult for all immigrants to become naturalized citizens, by changing the requirements for naturalization, many of which have been in place since 1795. Specifically, the Republican bill:

- Would have given the Immigration and Naturalization Service (INS) Gestapo-like powers to revoke citizenship without due process.
- Would have taken away INS officers' discretion, under the "good moral character" requirements, to naturalize people who have misdemeanors in their past, but have shown themselves to be reformed for at least five years.

In addition, the Republican bill did nothing to address the naturalization backlog. It currently takes over two years to become a naturalized citizen, once a person is eligible and has applied. More than 1.8 million individuals are waiting to become US citizens. (National Journal, 8/14/99) This is a serious problem for Hispanic and other immigrants, which Democrats have sought to address.

Fortunately, the highly punitive Abraham-Smith legislation was never brought to either the House or the Senate Floor.

Attempting to Deport Hundreds of Thousands of Aliens (245(i))

Also in 1997, right-wing House Republicans held up the Commerce-Justice-State Appropriations bill with an effort to force hundreds of thousands of immigrants to leave the country immediately, by refusing to extend Section 245(i) of the immigration code.

Section 245(i) helped individuals who were eligible to become legal permanent residents remain in the United States while they adjusted their status. The only people who could use Section 245(i) were those who were lawfully entitled to legal status because a close family member — such as a spouse — or an employer had sponsored them. Under 245(i), these individuals paid a \$1,000 fine to the INS; these revenues were then used to increase detention efforts and improve INS services.

House Republicans fought to let Section 245(i) expire immediately, even though this would have suddenly forced many immigrants to return to their home countries and in many cases would have split up families for at least three years, and possibly ten. House Republicans, in passing the Commerce-Justice-State Appropriations bill on September 30, 1997, specifically permitted Section 245(i) to expire. By contrast, the Senate passed the Commerce-Justice-State bill with a permanent extension, a position supported by the President Clinton and congressional Democrats.

The extension of Section 245(i) was supported by a broad range of business, labor, and religious organizations — including the National Association of Manufacturers, U.S. Chamber of Commerce, AFL-CIO, UNITE, U.S. Catholic Conference, American Jewish Conference, Lutheran Immigration and Refugee Services, and Presbyterian Church, USA.

Despite the wide range of support for extending 245(i), key House Republicans held the Commerce-Justice-State bill hostage over their demands to let 245(i) expire. On October 29, 1997, House Democrats and a handful of Republicans voted down a motion offered by Rep. Dana Rohrabacher (R-Calif.) to instruct House conferees to insist on the House position requiring Section 245(i) to expire immediately (Vote #541, 10/29/97). Despite this defeat, Rep

Rohrabacher and other right-wing Republicans continued to insist that 245(i) not be extended.

Due to the persistence of President Clinton and congressional Democrats, the final conference report on Commerce-Justice-State included a compromise extension of Section 245(i) through January 14, 1998. These Democratic efforts gave immigrants the opportunity for a few critically-important months to continue with their efforts to gain permanent resident status while remaining in the United States (*Washington Post*, 11/14/97).

106th Congress – Attempting to Block the “Latino and Immigrant Fairness Act”

In the 106th Congress, rather than directly trying to implement punitive immigration measures, Republicans have spent the last two years blocking the provisions of a key immigration bill, the “Latino and Immigrant Fairness Act” – a top priority of the Hispanic-American community. This legislation is also supported by a broad coalition of business and labor organizations, including the Chamber of Commerce and the AFL-CIO. The Latino and Immigrant Fairness Act would bring fairness to the nation’s immigration laws by at long last stabilizing the status of some immigrant groups who have lived, worked and paid taxes in the United States for many years. The three key sections of the Latino and Immigrant Fairness Act are as follows:

- Giving refugees who fled El Salvador, Guatemala, Honduras, Liberia and Haiti the same opportunity to apply for permanent residence as was extended to Nicaraguans and Cubans in 1997;
- Changing the “registry date” from 1972 to 1986, thereby permitting individuals who have been in this country since before 1986 to apply for legal residence; and
- Reinstating section 245(i), thereby once again allowing sponsored immigrants to finish their applications for permanent residence from the United States rather than their country of origin.

The enactment of the provisions of the Latino and Immigrant Fairness Act has been one of the top legislative priorities of Congressional Democrats over the last several months. By contrast, Congressional Republicans have spent the last several months blocking these provisions.

On September 26, 155 House Democrats and 42 Senate Democrats sent a letter to President Clinton stating that they were committed to ensuring that the provisions contained in Latino and Immigrant Fairness Act are included in the Commerce-Justice-State Appropriations conference report or any other legislation to which the CJS conference report may be attached. Furthermore, these Democrats vowed to sustain a veto of the CJS conference report if the Latino and Immigrant Fairness Act was not included.

Now, in the last days of this session, one of the key issues remaining is Democrats’ continued insistence that the provisions in the Latino and Immigrant Fairness Act be included in the CJS conference report, whereas Republicans are insisting that these provisions be significantly

weakened and watered-down before any of them are attached to the CJS bill. As of press time, it is unclear how these final negotiations will be resolved.

Hence, in these last days of the 106th Congress, the anti-Hispanic stance of this Republican-controlled Congress continues.

Following is an overview of the three key sections of the “Latino and Immigrant Fairness Act.”

Providing Central American and Haitian Parity

The first key section of the Latino and Immigrant Fairness Act is designed to establish legal parity for Central American and Caribbean immigrants – i.e. it would offer Salvadorans, Guatemalans, Hondurans, and Haitians the same opportunity to apply for permanent residence as was extended to Nicaraguans and Cubans in 1997. (In addition, under the bill, Liberians would be offered the same opportunity.)

Specifically, this part of the bill would permit nationals from El Salvador, Guatemala, Honduras, Liberia and Haiti who have been in the U.S. continuously since December 1, 1995 to adjust their status to legal resident under the same procedures permitted for Cubans and Nicaraguans in 1997. Because immigrants from these countries have experienced similar violence and hardship as the Nicaraguans and Cubans, it is unjust to continue providing unequal treatment.

Providing Update in Immigration “Registry Date”

The second key section of the Latino and Immigrant Fairness Act updates the immigration “registry date.” The registry provision, first established in 1929, acts as a statute of limitations on immigrants who have been here without proper documents. It provides them with an opportunity to become permanent residents if they are persons of good moral character and are otherwise eligible. The registry date has been changed several times. The last change, which occurred in 1986, set the registry date at 1972. The Latino and Immigrant Fairness Act would change the registry date to 1986.

This section of the bill would bring long-overdue justice to immigrants who were victims of the botched implementation of the 1986 legalization program. Moreover, it would grant immigrants who have resided and worked in the United States for 14 years the opportunity to contribute to society and the economy in more profound ways.

Among those long-time, working, tax-paying residents are the nearly 500,000 individuals who qualified for legalization under the 1986 Immigration Reform and Control Act (IRCA), but who were prevented from obtaining legal status due to erroneous information disseminated by the Immigration and Naturalization Service at the time. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) removed the courts’ jurisdiction over their claims – leaving an entire class of immigrants with no avenue to pursue legalization. They all gradually have lost their authorization to work.

Promoting Family Reunification by Reinstating Section 245(i)

Finally, the third key element of the Latino and Immigrant Fairness Act is promoting family reunification by reinstating the provisions of Section 245(i).

Under the terms of the compromise on Section 245(i) in 1997 described above, the provisions of 245(i) expired on January 24, 1998. As a result, after January 14, 1998, immigrants seeking permanent residency status in the United States are required to return to their country of origin, needlessly separated from their families and employers in the United States.

In reinstating the provisions of Section 245(i), the Latino and Immigrant Fairness Act would once again allow immigrants sponsored by close family members or employers to finish the final stage of their applications for permanent residence from the U.S. instead of their countries of origin. Reinstating 245(i) would ensure that families do not have to endure painful and needless separations.

STANDING IN THE WAY OF LATINO NOMINATIONS TO THE FEDERAL BENCH

Even though the federal courts are suffering a shortage of judges that is delaying justice, Republicans have held up President Clinton's nominations to the courts. Indeed, the 852-judge federal court system currently has 63 vacancies – and yet it now appears that the Senate will adjourn for the year with 40 nominations pending!

In particular, Senate Republicans have held up action on minority judge appointments, including Hispanic judges. In the 106th Congress, the Senate has taken 232 days on average to confirm minority and women candidates, 73 days more than the average time it took for white males to be confirmed (159 days). This continues a trend that has just been getting worse. In the 105th Congress, minority and women candidates waited 228 days, compared with 163 days for white males. In the 104th Congress, it was 174 days compared with 133 days.

Hispanic-American judicial appointees have been forced to wait longer for Senate votes than any other ethnic group. In the 106th Congress, the Senate took 359 days on average to confirm Hispanic-American judicial appointees, more than double the average time it took for Caucasian male appointees to be confirmed (159 days).

Richard A. Paez, the Most Egregious Example

The most egregious example of Senate Republicans holding up a minority judicial appointee is the case of Richard A. Paez. In 1996, President Clinton nominated U.S. District Court Judge Richard A. Paez to the 9th Circuit Court of Appeals. Republicans held up Paez's confirmation for four years -- the longest any nomination has ever been held up. Republicans stalled this nomination despite the fact that Paez received a top recommendation from the American Bar Association in recognition of his strong credentials and years of service. Paez was appointed to the federal district court in 1994 and served with distinction for five years, after serving as judge for the Los Angeles Municipal Court for 13 years.

Only because Democrats continued to fight for a vote on his nomination did his confirmation ever come about. For example, in September 1999, Senate Democratic Leader Daschle offered a motion to consider the Paez nomination. The motion was rejected 45-53, with Republicans unanimously voting against even considering his nomination (Senate Vote# 283, 9/21/99). Even after Republicans finally allowed his nomination to come up for a vote on March 9, 2000, Sen. Sessions offered a motion to postpone his confirmation indefinitely, which more than half of Republicans supported (Senate Vote #39, 3/9/00). In the end, 39 Republican Senators including Majority Leader Lott and Majority Whip Nickles continued to oppose Paez's confirmation (Senate Vote # 40, 3/9/00).

The Anti-Hispanic Pattern—A Raft of Hispanic Nominations Were Stalled and Stalled for Several Months Before Finally Getting Confirmation

This stalling of Hispanic judicial nominations has been a consistent pattern since Republicans took control of Congress in 1995. The nomination of Julio M. Fuentes to be a judge on the 3rd Circuit Court of Appeals was stalled for almost exactly one year. Sonia Sotomayor, the first Puerto Rican woman ever to sit on a federal district court, waited one year and three months before being confirmed to the 2nd Circuit Court of Appeals. Hilda Gloria Tagle, a Latina nominee, waited 2 years and seven months before she was confirmed to a district court position.

Hispanic Nominations Made by President Clinton Blocked as the 106th Congress Adjourns

As the 106th Congress adjourns, there are a couple of important examples of Hispanic judicial nominations made by President Clinton being blocked by the Republican-controlled Senate.

A first key example of a highly-qualified Hispanic judicial nominee being blocked by the Republican Senate is Enrique Moreno. Enrique Moreno was nominated by President Clinton to serve on the 5th Circuit Court of Appeals in New Orleans way back on September 16, 1999. In the intervening 13 months, the Senate Judiciary Committee has refused to even hold a hearing on his nomination!

Senators Gramm and Hutchinson have opposed Moreno's nomination, claiming that he did not have the necessary experience to sit on the appellate court. These Senators made these claims even though the American Bar Association unanimously gave Moreno its highest rating, and Texas state judges had rated this Harvard graduate one of the top three trial attorneys in El Paso for his work in private practice for nearly 20 years. Republicans claim that they are concerned about his lack of judicial experience. For other nominations, judicial experience has not been a deciding criteria for the GOP in the past; one-half of the judges on the 5th Circuit Court are listed as having no previous judicial experience, including six nominated by Republicans.

Senators Gramm and Hutchinson also opposed the previous Hispanic nominee for the 5th Circuit Court – Jorge Rangel. Republicans blocked the nomination for more than two years, in essence, forcing the withdrawal of this nominee because of the negative effect the delay was having on his private practice. They opposed his nomination even though Rangel was a former judge and educated at Harvard with 27 years of experience.

Senate Republicans have blocked these two Hispanic nominations even though there is such a severe shortage of judges in the 5th Circuit that the chief judge issued an emergency order in 1999 which authorized the court to use visiting district judges.

Finally, a second key example of a highly-qualified Hispanic judicial nominee being blocked

by the Republican Senate is Ricardo Morado. President Clinton nominated Ricardo Morado for a federal district court position in Texas way back on May 11, 2000 and yet his nomination has been completely blocked by the Republican Senate. Indeed, the Senate Judiciary Committee has failed to even hold a hearing on his nomination – and in this case despite the fact that the two Republican Senators from Texas support his nomination!! Like Mr. Moreno, Mr. Morado is Harvard-educated and was enormously well-qualified for this position.

(It is particularly ironic that the Republican Senate would leave vacant a federal district court judgeship in Texas because there is currently an enormous overload in the workload in federal district courts in Texas and other Southwest Border states. Indeed, on June 21, 2000, Rep. Charles Gonzalez, Rep. Solomon Ortiz, and others introduced legislation (H.R. 4704) to increase the number of federal judgeships along the Southwest Border by 13 (eight permanent and five temporary), because the five federal district courts along the Southwest Border now handle 26% of all federal court criminal filings – with the other 74% being spread among the other 89 federal district courts throughout the United States. And yet the Republican-led Congress has ended the year without acting on this important legislation.)

And so it appears that the Republican-controlled 106th Congress is adjourning for the year successfully blocking the confirmation of two highly-qualified Hispanic-American judicial nominees – Enrique Moreno and Ricardo Morado.

ATTEMPTING TO UNDERCOUNT HISPANICS IN THE 2000 CENSUS

“It’s a good thing the Statue of Liberty wasn’t immortalized by modern-day Republicans, or there’s no telling what the inscription might read. Instead of welcoming the tired, the poor and the huddled masses, it would probably declare them statistical non-persons.”

— *Buffalo News* editorial, 5/29/97

More than four million people were not counted in the 1990 Census. Hispanics were particularly impacted — the 1990 Census missed five percent, one out of every twenty Hispanics, for a total of 1.1 million Hispanics not counted. Hispanics represented more than 25% of the total undercount in 1990, even though they represent only 11% of the U.S. population.

The Census population count is not just a number — being undercounted has a real impact on people’s lives. For example:

- C Congressional districts are periodically adjusted based on the new population data, to make sure every citizen has equal representation. When Hispanic citizens are undercounted, they have less of a voice in government.
- C Billions of dollars in federal grants are distributed on the basis of population, for such purposes as: education, health care, and transportation. Undercounting can result in Hispanic communities losing significant financial support for local schools, health care services, and roads.
- C Federal, state, and local officials use Census population data to decide where to build hospitals, highways, bridges, and schools. For people living in large Hispanic communities, undercounting could result in longer waits for medical care, more traffic, and overcrowded classrooms.

To correct this problem, the Census Bureau has proposed the targeted use of a common statistical technique called “sampling” in the 2000 Census. Without sampling, the Census Bureau estimates that the 2000 Census will miss 1.9% of the U.S. population, or **4.8 million people**.

Sampling enjoys widespread support in the scientific community. It has been endorsed by the American Statistical Association, the Population Association of America, and the General Accounting Office. A National Academy of Sciences study ordered by Congress concluded that sampling was the only way to ensure an accurate census count. Scientific support for sampling also crosses party lines. Dr. Barbara Bryant, appointed by Republican President George Bush to direct the 1990 census, supports sampling in 2000, and has said, “*I am very much in favor of the plan the Census Bureau has. It builds on work I started back in 1990.*”

(*Washington Post*, 8/20/97). In addition, the Inspector General of the Department of Commerce (which includes the Census Bureau) found that prohibiting the use of sampling could drive up the cost of the census by hundreds of millions of taxpayer dollars.

Only one thing stands in the way of an accurate Census, one that uses sampling to ensure Hispanics and other minorities are counted: the vehement opposition of congressional Republicans. Republicans know an accurate Census count could threaten their majority hold on Congress by increasing Hispanic and African-American representation. Jim Nicholson, Chairman of the Republican National Committee, sent a memo to all State Republican Party Chairmen calling the 2000 Census “an issue of unusual importance to the Republican Party... At stake is our GOP majority in the House of Representatives, as well as partisan control of state legislatures nationwide.” (5/20/97) The Republican National Committee has estimated that Republicans could lose as many as 25 House seats if the 2000 census is conducted accurately. (*CQ Weekly*, 6/21/97). Moderate GOP Congressman Chris Shays has even admitted that Republicans’ opposition to sampling is based on these political calculations, saying, “*my belief is that it’s all politics*” (*Washington Post*, 8/20/97).

As veteran *Washington Post* reporter and columnist David Broder has written, “*I can find almost nothing to sustain the Republicans’ objections [to sampling] other than a simple calculus that they can more easily hold the House in years to come if millions of hard-to-find people — typically minorities or low-income, mobile youths — are left out of the calculus when congressional districts are drawn to Census specifications.*” (*Washington Post*, 8/20/97)

In essence, through their attacks on an accurate Census, Republicans have spent the last four years putting their political prospects ahead of the needs of Hispanic families and other minority families and children.

Chronology of GOP Attack on an Accurate Census

Republicans are desperate to stop sampling, as their record over the past four years reveals.

- C **Spring, 1997:** After the horrendous floods in the Dakotas in the spring of 1997, the President asks Congress for emergency disaster relief to help communities rebuild. In a move that mayors of disaster-stricken towns call “game playing,” Republicans hold up the disaster relief bill for three months, demanding a ban on Census sampling, a totally unrelated issue. By holding disaster relief hostage to their political agenda, Republicans keep thousands of families from rebuilding their lives, farmers from replanting their crops, ranchers from renewing their herds, and communities from rebuilding their schools and businesses.
- C **Fall, 1997:** House Republicans attach to the annual Commerce-Justice-State Appropriations bill a policy rider banning the Census Bureau from using statistical sampling in 2000. House Democrats fight to strip the ban, but Republicans vote almost unanimously to keep the ban. (House Vote # 475, 9/30/97) Thanks to the opposition of President Clinton and congressional Democrats, a deal is finally struck which allows the bill to pass, and provides funding for the Census Bureau to move forward with its plan to test the use of sampling for the 2000 Census.

- C **February, 1998:** Republicans file a lawsuit challenging the constitutionality of sampling, which they were permitted to do under the deal struck with Democrats the previous fall. But Republicans say they will ignore the Supreme Court's ruling, if one is handed down. Specifically, Congressman John Linder (R-Ga.), a close ally of Newt Gingrich and chairman of the National Republican Congressional Committee, which helps elect Republicans to Congress, says that even if the Supreme Court ruled that sampling is legal, "we still won't fund it" (*Washington Times*, 10/2/97).
- C **June, 1998:** House Republicans attach to the annual Commerce-Justice-State Appropriations bill a provision that would end funding for the Census in March 1999, thus inhibiting the Census Bureau's preparation for a fair and accurate Census using statistical sampling. House Democrats and President Clinton oppose this measure.
- **August, 1998:** Republicans vote against the Mollohan amendment to H.R. 4276 - FY 1999 Commerce, Justice, State Appropriations. The amendment would have removed bill language restricting funds from being used by the Census Bureau for statistical sampling. (House Vote # 388, 8/5/98)
 - **Fall, 1998:** In year-end budget negotiations, Democrats beat back Republicans efforts to cut off funds for sampling. The final conference report blocks funding for the Departments of Commerce, Justice and State after June 15, 1999, instead of cutting off funds for the Census as of March 15, 1999 as Republicans tried to do.
 - **January, 1999:** The Supreme Court rules that, under the current law (not the Constitution), corrected census numbers may not be used to apportion seats among the states for the House of Representatives, but must be used for all other purposes. Writing for the majority, Justice O'Connor stated that the 1976 amendments to Title 13 U.S. C. (The Census Act) changed the provision in law from one that "*permitted* the use of sampling for purposes other than apportionment into one that *required* that sampling be used for such purposes if 'feasible.'"
 - **April, 1999:** Instead of working to improve the quality of the Census, Republicans pass a bill that a *Roll Call* editorial describes as "... likely to delay and complicate census-taking in the guise of improving the count." Republicans pass H.R. 472, Local Census Quality Check Act, to require the Census Bureau to implement a post-census local review as part of each decennial census. The bill would have done nothing to address-- and may have exacerbated -- the undercount of Latinos. (House Vote # 89, 4/14/99). As the *Washington Post* described it "some Republicans also are trying -- in the name of greater accuracy, no less -- to impose new requirements on the Census Bureau whose effect would be to delay publication of the adjusted numbers until after redistricting had safely begun. Delay might serve their purpose as well as prohibition, at less political cost." (*Washington Post*, 3/15/99)
 - **Spring, 1999:** Census Bureau responds to court decision, drawing up revised plan for the 2000 Census that uses old methods for apportioning the seats of the House of Representatives and using modern statistical methods for redistricting and for distribution of federal funds. This increases the cost of 2000 Census by \$1.7 billion.
 - Republican-dominated legislatures across the country begin passing statutes prohibiting the use of corrected numbers for redistricting purposes.

- **May 1999:** Democrats win a major victory by passing the repeal of the provision in the FY 1999 spending law which threatened to shut down the government by blocking funding for the Departments of Commerce, Justice and State after June 15, 1999 as part of the FY 1999 Supplemental Appropriations.
- **March 29, 2000:** Instead of directly banning sampling, Republicans attempt to sabotage the census. The Republican leadership attacks the Census while the crucial tally is still in progress. Republican Leader Trent Lott and several other conservative Republicans, including Sen. Chuck Hagel of Nebraska and Reps. Tom Coburn of Oklahoma and Nick Smith of Michigan, recently said that people should not have to answer census questions if they do not want to. (Washington Post, 3/30/00). GOP Presidential candidate Bush agreed, saying, "If I have the long [Census] form, I'm not so sure I would do it either." (Washington Post, 3/31/00) Republicans encourage people not to fully respond even though the Republican Congress approved the very Census forms they are attacking. The Republicans have consistently attempted to confound the Bureau's attempts to perform an accurate Census count, but the fact that they have begun to attack the Census while it is in progress has brought this campaign to an all-time low. There are serious concerns that "the attacks could dampen participation during this crucial phase of the count." (WP, 3/30/00)
- **July 25, 2000:** GOP Rep. Dan Miller, Chairman of the Government Reform Subcommittee on the Census, alleges widespread fraud in the conduct of the census. Without consulting with the Census Bureau, Rep. Miller issues a press release alleging widespread fraud. What we have instead is the equivalent of 'Statistical McCarthyism' – allegations without proof.

ELIMINATING THE SOCIAL SAFETY NET FOR LEGAL IMMIGRANTS

104th Congress

When Republicans took over Congress in 1995, one of their key priorities was the welfare bill in their extremist "Contract with America." Not only did the Republican welfare bill balance the budget on the backs of lower-income Americans, but it specifically targeted legal immigrants, many of whom had lived and paid taxes in the United States for years. Republicans voted overwhelmingly to deny legal immigrants access to food stamps; Supplemental Security Income (SSI), which goes to low-income disabled and elderly people; and Medicaid. Overall, Republicans voted to cut benefits to legal immigrants by \$22 billion, which represented half of the cuts in the entire welfare bill (House Vote #331, 7/18/96). Due to the opposition of the Clinton Administration and congressional Democrats, some of the onerous provisions against legal immigrants were somewhat scaled back in the final bill that the President signed in August 1996. Also, when he signed the bill, President Clinton vowed in the next Congress he would try to reverse certain of the anti-legal immigrant provisions.

105th Congress

Original GOP Version of Budget Reconciliation Bill – 1997

As promised, in 1997, President Clinton proposed legislation to help ameliorate the effects of some of the 1996 welfare bill's provisions on legal immigrants. During the budget negotiations in the spring of 1997, Republicans agreed to a Democratic proposal to "restore Supplemental Security Income and Medicaid eligibility for all disabled legal immigrants who are or become disabled and who entered the United States prior to August 23, 1996" (the day the 1996 welfare bill was signed into law). In other words, the bipartisan budget agreement would have protected the most vulnerable individuals by providing a safety net for all immigrants in the U.S. when the welfare law was enacted, who either have already suffered or someday in the future were to suffer a disabling accident or illness.

However, when it came time to put this deal into actual legislation, House Republicans reneged. The original House Republican version of the budget reconciliation bill would have denied SSI benefits to thousands of disabled legal immigrants who should have been covered under the budget agreement. For example, a now healthy 65-year-old who was in the U.S. legally in August of 1996, but did not develop Alzheimer's until this year, would have received benefits under the bipartisan budget agreement, but would not have received benefits under the Republican bill. This was a betrayal of the most needy among elderly legal immigrants.

As the *New York Times* explained, under the headline, “GOP Backing Off A Deal to Restore Aid to Immigrants,”

“House Republicans today backed away from their commitment to restore federal aid for certain legal immigrants, prompting the Clinton Administration to complain that the Republicans were violating the bipartisan budget agreement reached just five weeks ago... The Republicans are playing with political fire in restricting benefits for legal immigrants. Their proposals have proved unpopular in parts of Florida, Texas, and other states with many immigrants.” (6/5/97)

Republicans’ indifference to the plight of disabled legal immigrants was demonstrated plainly by the leading House Republican on welfare reform. When asked what he expected legal immigrants to do if they suffered the misfortune of becoming disabled, House Ways and Means Subcommittee on Human Resources Chairman Clay Shaw (R-Fla.) replied, ***“I guess they can go home”*** (*USA Today*, 6/5/97).

Fortunately, Democrats eventually overcame Republican betrayal of these legal immigrants and were able to ensure, in the final budget reconciliation bill signed by the President, that all legal immigrants who were in the U.S. when the welfare bill was signed were eligible for SSI and Medicaid, regardless of when they became disabled. The Social Security Administration estimated that by the year 2007, these efforts will have protected 125,000 legal immigrants who would have otherwise been denied benefits under the Republican bill.

Food Stamps for Legal Immigrants – 1998

Then, in their zeal to attack the legal immigrant community yet again, in 1998, the House Republican Leadership tried to renege on a compromise worked out on the conference report on S. 1150, the Crop Insurance/Agriculture Research bill, and delay this key legislation to fund crop insurance, agriculture research, and rural development in order to try to remove provisions restoring food stamps for certain legal immigrants.

Specifically, at the eleventh hour, just as the House was about to recess for a long Memorial Day break, the House Republican Leadership devised a mean-spirited parliamentary procedure designed to kill a carefully-crafted, bipartisan deal by stripping out the provisions restoring food stamps for 250,000 legal immigrants who lost their food stamp benefits in 1996.

Because of the mean-spiritedness of the plan, the House proceeded to reject the GOP Leadership’s rule by the bipartisan vote of 120 to 289 (House Vote #188, 5/22/98). However, more than half of the House Republicans voted for this plan to strip the provisions to restore food stamps for about 250,000 of the 900,000 legal immigrants whose benefits were eliminated by the 1996 welfare reform bill. The 250,000 whose food stamps were restored are those legal immigrants who are children, the elderly, or disabled and were in the country at the time the welfare bill was enacted. Fortunately, Democrats were united in ensuring that the measure only pass with the food stamp provisions intact.

By trying to upset the deal, Republicans jeopardized funding for all the programs in the bill, including crop insurance. Much like the previous year's supplemental, Republicans were willing to hold up key and timely emergency funding in order to punish Latinos and immigrants. The Republican Leadership's delay of final action to provide new funds for crop insurance put farmers at imminent risk of beginning to receive crop insurance policy cancellation notices, leaving them without their only remaining risk management tool provided by federal farm programs.

106th Congress

In the 106th Congress, Democrats have continued to fight to reverse unnecessary cuts in benefits to legal immigrants that have nothing to do with the goal of moving people from welfare to work.

President Clinton's budget request for FY 2001 builds on the Administration's success in restoring these important benefits by providing \$2.5 billion over five years to allow states to provide healthcare to certain legal immigrant children and their families and pregnant women, to restore SSI eligibility to certain legal immigrants with disabilities not yet covered, and to restore Food Stamp eligibility to certain aged immigrants and to legal immigrants who live in a household with Food Stamp eligible children.

So far this year, the GOP Congress has failed to enact legislation to implement these important proposals.

On October 16, 2000, President Clinton put out a statement highlighting the importance he placed on including this package of restoring benefits to certain legal immigrants in the final budget negotiations ending this session of Congress:

"Upon signing the welfare reform law, I made a commitment to reverse unnecessary cuts in benefits to legal immigrants that had nothing to do with the law's goal of moving people from welfare to work. In 1997 and 1998, I joined Congress in taking steps to restore eligibility for many vulnerable immigrants. Now, it is time to restore benefits to other legal immigrants who are working hard and playing by the rules, but are in need of assistance. This action would be an important step toward making sure this country does its part to reduce hunger. Congress must also act now to restore state options to extend Medicaid and CHIP coverage to vulnerable legal immigrant women and children."

In these last few days of the 106th Congress, Democrats will work with the Clinton Administration to try to win agreement on these important provisions to restore benefits to certain legal immigrants.

REFUSING TO PROTECT THE CIVIL AND LEGAL RIGHTS OF ALL

While Republicans spent much of their National Convention in Philadelphia talking about inclusion and fairness, over the last six years congressional Republicans have voted to cut key civil rights enforcement and legal services budgets and undermine the Community Reinvestment Act to ensure fair bank lending practices in low-income and minority communities, and they have blocked enactment of key civil rights legislation such as racial profiling and hate crimes legislation.

Equal Employment Opportunity Commission

The Equal Employment Opportunity Commission (EEOC) is the key agency in the federal government to fight employment discrimination based on race, ethnicity or gender. Employment discrimination continues to be an ongoing problem for Hispanics. A study by the Urban Institute found that white job applicants receive 33% more interviews and 52% more job offers than equally qualified Hispanics. A similar study by the Fair Employment Council of Greater Washington found that one out of every five Hispanic job applicants experiences discrimination.

Even though the commission is important to ensuring that a fair opportunity in the workplace exists for all, House Republicans have voted either to freeze the budget of the EEOC, or rejected proposed increases by the President in five of the last six years (all except FY 1998) in the annual Commerce-Justice-State Appropriations bill. In the only vote specifically on EEOC funding, virtually all Republicans voted against the Schroeder amendment to H.R. 3814, Commerce, Justice, State Appropriations for FY 1997, to increase funding for EEOC by \$13 million. (House Vote # 343, 7/23/96 -- Rejected 159 to 265 (REP: 7-223; DEM: 151-42))

President Clinton, like congressional Democrats, is committed to real equal opportunity in the workplace, and has requested increases at the EEOC to ensure equality for everyone. The GOP has refused these increases even though the number of discrimination cases has grown. The EEOC handles between 75,000 and 80,000 employment discrimination charges a year.

Civil Rights Commission

In June 2000, almost 90% of House Republicans voted for H.R. 4690, the FY 2001 Commerce Justice State Appropriations bill – a bill that funds the Civil Rights Commission for FY 2001 at \$8.9 million, almost 20% less than the President requested. (House Vote #326, 6/26/00) In fact, the GOP funding for the Civil Rights Commission in the Commerce-Justice-State bill is less than it was six years ago in FY 1995, when Republicans took control of Congress.

Unfortunately, this is a longstanding pattern. House Republicans have voted to freeze or cut

the budget of the Civil Rights Commission every year since they took control of Congress in 1995, even though the commission is critical to protecting the civil rights of all of our citizens. The commission is charged with investigating voting rights violations, studying and collecting information on discrimination, and appraising federal laws and policies relating to discrimination and equal protection.

Legal Services Corporation

The Legal Services Corporation is the key mechanism to provide legal services to low-income Americans on issues ranging from domestic violence, child custody, evictions, access to health care, bankruptcy, unemployment and disability claims. In 1999, Legal Services Corporation recipients closed more than 1 million civil legal cases and dealt with many other issues faced by millions of low-income Americans. Almost 30% of those currently served by the Legal Services Corporation are Hispanic.

Even though the Legal Services Corporation provides critical legal services to the Hispanic community, Republicans in the House each year have written spending bills that drastically cut funds for the Legal Services Corporation. For example, this year, H.R. 4690, the FY 2001 Commerce Justice State Appropriations bill that came to the House Floor, proposed to slash funds for the Legal Services Corporation by \$164 million or 53%. However, as has happened in five of the last six years, House Democrats were successful on the House Floor in restoring some of the Legal Service Corporation funds that the GOP tried to cut.

Despite Democratic success in making the GOP cuts somewhat smaller, the result of GOP opposition to the Legal Services Corporation over the last six years is that many low-income people face the legal system without any help. Because of GOP efforts to cut the Legal Services Corporation, final funding was \$305 million in FY 2000 – almost \$100 million less (25%) than it was in FY 1995 when Democrats controlled Congress.

Republicans have played these political games even though the Legal Services Corporation is able to serve only 20% of eligible clients; 80% of eligible clients are unable to get needed legal assistance.

GOP Seeks to Undermine the Community Reinvestment Act

The Community Reinvestment Act (CRA) was enacted to combat the practice of redlining by publicly-insured banks and savings institutions and to direct bank loans to low-income areas. As a result of CRA, nearly \$400 billion is estimated to have been committed for loans and investments targeted to residents and businesses in underserved urban and rural areas. The CRA has been important in the extension of credit and the increase in homeownership rates in low- and moderate-income communities. For example, between 1993 and 1997, home loans to low- and moderate-income communities grew by 45.1% and home loans to Latinos grew by 45%.

Despite the success of these efforts and the importance of the Community Reinvestment Act (CRA) to the Latino community, Republicans have led the charge to eliminate or drastically weaken the Act. In the 105th Congress, the House for the first time passed a banking modernization measure when it approved a financial services overhaul bill by a single vote, 214 to 213. Subsequently, the banking, securities and insurance industries – all eager to eliminate current barriers and expand their business affiliations – reached broad agreement on a modified version of the bill in the Senate. But the Senate never acted on that measure (H.R. 10) in part because of opposition by Sen. Gramm (R-TX), Chairman of the Senate Banking Committee and Sen. Shelby (R-AL), another high-ranking Republican on the committee, to Community Reinvestment Act requirements in the final bill.

Then in the 106th Congress, Sen. Gramm led the charge to eliminate the Community Reinvestment Act completely by using the Senate banking bill as the first step to do that. During Senate consideration of the bill, Republicans unanimously rejected an amendment to strike the Gramm provisions in the banking bill (S. 900) that would have undermined Community Reinvestment Act protections. Specifically, all Republican Senators voted to table the Sarbanes (D-MD) amendment to the bill. Among its provisions, the Sarbanes amendment would have deleted from the bill Gramm's CRA provisions, including provisions that exempted small banks from CRA requirements and "safe harbor" provisions that would stifle public comment on banks' and thrifts' CRA performance. (Senate Vote #100, 5/5/99)

By forcing the issue, Sen. Gramm turned the bill into a civil rights issue and set the stage for a furious struggle in the conference committee. President Clinton warned the Senator in May that he would veto the banking bill if it "undermines the effectiveness of the Community Reinvestment Act. . . . The CRA is working, and we must preserve its vitality as we write the financial constitution for the 21st century." (The Hill, May 12, 1999)

Ultimately, Democrats were successful and the final bill signed by the President in November 1999 generally preserved existing Community Reinvestment Act (CRA) requirements for banks.

No House Action on Racial Profiling

It is clear from recent studies that racial profiling is a serious problem for blacks and Hispanics across the country that must be examined to ensure that the civil rights of all Americans are protected on our roads and in our communities. Studies in Maryland, New Jersey, Illinois, Florida, Ohio, Houston and Philadelphia have confirmed that minorities are disproportionately targeted by police. For example,

- New Jersey reported that 77 percent of those stopped and searched on its highways were black or Hispanic, even though only 13.5 percent of the drivers were black or Hispanic. (The Nation, 10/11/99)
- The ACLU then showed that, although Hispanics compose less than 8 percent of the State of Illinois' population, they were 27 percent of those stopped and searched by a highway drug interdiction unit. (The Nation, 10/11/99)

- In a recent study, Temple University Prof. John Lamberth determined that about 75 percent of the motorists and traffic violators along one stretch of Interstate 95 were white, but 80 percent of searches were of minorities. (U.S. News & World Report, March 15, 1999)

States have taken note of this important civil rights problem and have begun to act. In April 1999, the New Jersey Attorney General's office issued a 112-page report admitting that its state troopers had engaged in racial profiling, offering statistics to support the claim and advancing a sophisticated analysis of the nature and scope of the problem. The next day North Carolina became the first state to pass a law requiring troopers to record and make public the racial patterns of their traffic stops. Connecticut followed suit with its own reporting law in June. (The Nation, 10/11/99)

While states have begun to look at this problem, congressional Republicans have refused to bring to the House Floor legislation to study racial profiling by police who are accused of singling out blacks or Hispanics as suspects. On March 1, 2000, the House Judiciary Committee approved legislation (H.R. 1443) that directs the Attorney General to set up a two-year study to obtain data from state and local law enforcement agencies on whether police traffic stops are motivated mainly by the race or ethnicity of a vehicle's driver or occupants. At the time, Republicans said the House would consider the bill within the next week or so.

However, the 106th Congress is adjourning and the House GOP leadership never allowed this bill to come to the House Floor for a vote. It is clear that the Republicans who control Congress are not committed to seeing that Americans' civil rights are protected when it comes to police stops.

Failure to Enact Hate Crimes Legislation

Hundreds of brutal hate crimes—like the murders of James Byrd and Matthew Shepard which occurred in 1998—are committed each year, based on the race, ethnicity, or sexual orientation of the victim. These hate crimes make victims of a range of minorities across this country, and unfortunately Hispanics are no exception. In 1998, the FBI reports that there were 595 anti-Hispanic hate crime offenses – crimes committed just because the victim was Hispanic.

The federal government currently may prosecute certain hate crimes when state authorities are unable or unwilling to do so, and the crime either must have occurred while the victim was enjoying a federally protected right—such as voting or serving in a jury—or the crime must have interfered with the victim's ability to engage in a similar right. The bipartisan Hate Crimes Prevention Act would extend the federal government's ability to investigate and prosecute incidents of hate violence in two ways. It would extend the scope of prosecutable hate crimes (that currently covers those based on race, religion, color and national origin) to include those based on gender, sexual orientation, and disability. Further, the Act would allow federal officials to prosecute hate crimes even when the victim is not engaged in a "federally protected activity."

The Hate Crimes Prevention Act is critical to ensure that the federal government can back up state and local officials by allowing federal authorities to assist in investigations and by allowing federal prosecutions when necessary to ensure that justice is served, not just when the victim is voting or on a jury.

The Hate Crimes Prevention Act has received bipartisan support. It was introduced in the House in March 1999 (H.R. 1082) by Reps. Conyers (D-MI), Gephardt (D-MO), and Morella (R-MD). In the Senate, it was introduced in March 1999 (S. 622) by Sens. Kennedy (D-MA) and Smith (R-OR).

Despite its bipartisan support, the GOP leadership refused to bring this important legislation to the Floor. Then, on June 20, 2000, the Senate – by a bipartisan vote of 57 to 42 – adopted the Hate Crimes bill as an amendment to the DOD Authorization bill. Later, on September 13, the House – by a bipartisan vote of 232 to 192 – adopted a Conyers motion to instruct the conferees on the DOD Authorization bill to accept the Senate-passed hate crimes provisions.

However, despite the bipartisan votes in both the House and Senate in favor of the hate crimes legislation, on October 5, at the direction of the GOP leadership, the Republican conferees on the DOD Authorization conference committee voted not to include the Hate crimes bill in the final DOD Authorization conference report.

Hence, the 106th Congress will adjourn for the year with no enactment of this critically-important Hate Crimes legislation.

OPPOSING AFFIRMATIVE ACTION

“The warm-climate community just hasn’t found the colder climate that attractive. It’s an area of America that has simply never attracted the Afro-American or the Hispanic.”

— **Rep. Helen Chenoweth-Hage (R-Idaho)**, speaking at a California Republican Party “Pride and Diversity” breakfast on why the Forest Service should end its practice of recruiting minority applicants from outside the northern Idaho region (*The Hill*, 5/14/97). Chenoweth has also stated that the only endangered species she knows is “white Anglo Saxon males.”

Another important issue in the Hispanic community is affirmative action. Numerous studies have shown that Hispanics experience discrimination in the educational system, are significantly underrepresented as business owners, and suffer high rates of employment discrimination. For example, a study by the Fair Employment Council of Greater Washington found that one out of every five Hispanic job applicants experienced discrimination.

Affirmative action is one of the most powerful policy tools available to help make sure that Hispanics have the same opportunities as everyone else. House Republicans, however, have been outspoken in their opposition to affirmative action.

Canady Anti-Affirmative Action Bill

Leading the charge among House Republicans to end affirmative action has been Congressman Charles Canady (R-FL), who introduced an extreme anti-affirmative action bill, H.R. 1909, in the 105th Congress. Under the Canady bill, the federal government would have been prohibited from using affirmative action even in cases in which there has been a blatant pattern of discrimination against women or minorities. The Canady bill was similar to California Proposition 209, which has eliminated many valuable affirmative action programs in California.

Attacking the Disadvantaged Business Enterprises Program

On April 1, 1998, Rep. Marge Roukema (R-NJ) offered an amendment to eliminate the Disadvantaged Business Enterprises (DBE) program, which sets a goal of providing 10% of transportation projects to businesses owned by women and minorities. This amendment, offered to H.R. 2400, the Highway Reauthorization Act, was fortunately defeated by a vote of 194 to 225 (House Vote #93, 4/1/98) — although 191 Republicans voted in favor of it. The DBE program has played an essential role in giving needed opportunities to emerging Hispanic American-owned businesses in the highway construction industry, allowing them to get a foothold in an industry often dominated by large, established firms.

Attacking Affirmative Action in Higher Education

Similarly, on May 6, 1998, Rep. Frank Riggs (R-CA) offered an amendment to abolish affirmative action in public colleges to H.R. 6, the Higher Education Reauthorization Act. Fortunately, the Riggs amendment was defeated, by a vote of 171 to 249. (Vote # 133, 5/6/98) – although 166 Republicans voted in favor of it. Adoption of the Riggs amendment would have abolished the various types of affirmative action programs used for admissions in public colleges and universities all over the country — turning back the clock on all the progress that has been made over the last 30 years in attaining more diversity on public college and university campuses.

The flaws of the Riggs amendment were perhaps best expressed by Reps. John Lewis (D-Ga.) and J.C. Watts (R-Okla.) in a letter to their colleagues: *“For numerous reasons, equal opportunity is not within the reach of many minority youth in America... This is not the time to eliminate the one tool ... we have to help level the playing field for many minority youth. A vote for the Riggs amendment will take away the one opportunity, the one hope, that thousands of young people have to pursue the American Dream — to know that a higher education of their choice is within their reach.”*

Finally, on the very same day, Rep. Tom Campbell (R-CA) offered another anti-affirmative action amendment, which was defeated by a vote of 189 to 227. The Campbell amendment would have gone further than the Riggs amendment by abolishing affirmative action in all programs funded under the Higher Education Act. (Vote# 134, 5/6/98)

PROMOTING “ENGLISH-ONLY” LEGISLATION

One of the most dangerous efforts targeted at Hispanics in this country is the “English-Only” campaign. “English-Only” legislation, popular among right-wing ideologues, is a direct attack on the cultural heritage of the millions of people in this country who speak other languages. “English-Only” flies in the face of the American tradition of welcoming people of different cultures, backgrounds, and languages. People who come to this country do learn English — more than 95% of Americans speak English, and research shows that people in the U.S. who speak other languages are learning English faster than previous generations did. They do not need “English-Only” restrictions standing in their way.

In 1996, Republicans passed an unnecessary and mean-spirited bill which would have declared English the official language of the U.S. government and required the federal government to conduct official business in English (House Vote #391, 8/1/96). The bill also would have made it harder for Hispanic citizens to vote by eliminating the current requirement that bilingual voting ballots be provided in areas with voters who do not speak English.

At the same time, Republicans rejected a Democratic proposal to state that the federal government should promote English as the common language and to expand educational opportunities so all residents become fully proficient in English (House Vote #389, 8/1/96).

House Republicans threatened to renew their “English-Only” efforts in the spring of 1998, using the Puerto Rico Political Status bill as a vehicle. Congressman Gerald Solomon (R-NY) offered an amendment establishing English as the official language of the United States. The Solomon amendment would also have required that if Puerto Rico were to become a state, all federal government activities in Puerto Rico would be conducted only in English, and schools could only teach English. This would have destroyed the strong bilingual tradition in Puerto Rico, and was strongly opposed by the people of Puerto Rico. Republican leaders — Leader Dick Armey, Whip Tom DeLay, and Republican Conference Chair John Boehner — and the vast majority of House Republicans voted for Solomon. But Democrats were able to defeat it. (House Vote #29, 3/4/98)

In the 106th Congress, while the GOP has not voted on English-only proposals, Republicans continue to push this legislation. Specifically, Rep. Barr has introduced a measure (H.R. 123), which has 125 GOP cosponsors, to declare English the official language of the U.S. government and require the federal government to conduct official business in English.

UNDERMINING EDUCATIONAL OPPORTUNITIES FOR HISPANIC CHILDREN

Latinos are the fastest growing and youngest segment of our population. The Education Department's Baby Boom Echo Report shows that Hispanics make up 7.9 million of our school-aged children, and will increase 60% over the next 20 years to 12.7 million.

Education is a top priority for Hispanic Americans, as it is to all Americans. **Of Hispanics surveyed, 97% place a high priority on education.**

However, Republicans have repeatedly promoted policies that would have the effect of undermining the educational opportunities for Hispanic children.

Denying Public Education to Immigrant Children

In 1996, Republicans voted for an amendment by Rep. Elton Gallegly (R-CA) to an immigration bill (H.R. 2202) to give states the option of denying public education to undocumented immigrant children. (House Vote #75, 3/20/96) Since the amendment would require states to check families' documentation, it would have resulted in blatant discrimination against students who merely looked or sounded foreign. This measure was fiercely opposed by law enforcement officials, who said it would result in thousands of children being out on the streets, at risk of committing or being the victims of crimes. Fortunately, these punitive Gallegly provisions were not included in the final bill signed by the President (PL 104-208).

Republican Attacks on Bilingual and Immigrant Education

The bilingual and immigrant education program helps overburdened local school districts across the country deal with the needs of more than three million children with limited English proficiency, 75% of whom are Latino. This program helps children who need special instruction to teach them English and prepare them to enter all-English classrooms. These children come to school with different degrees of proficiency in English, at different ages, and with different levels of educational achievement.

Bilingual education is an important teaching technique that allows Limited-English Proficient students not to fall behind in other studies as they learn English and is supported by 83% of Hispanics.

Since taking control of Congress in 1995, House Republicans have repeatedly attacked bilingual and immigrant education. In 1995, Republicans voted to cut bilingual and immigrant education for FY 1996 by 50% below the FY 1995 level. (House Vote #626, 8/4/95)

This pattern has continued. Here is what they have done over the past several years:

- **Cutting Bilingual Education Funding for 400,000 Children:** On March 31, 1998 House Republicans voted to cut FY 1998 funding for bilingual and immigrant education by \$75 million — or by 21%. (House Vote #85, 3/31/98) This would have hurt more than 400,000 children and would have disproportionately hurt schools in states with a large or significant increase in populations of limited English proficient students, including California, New York, Texas, Arizona, Florida, Illinois, New Mexico, Oklahoma, and Washington. Fortunately, this provision was ultimately dropped during the House-Senate conference on the bill.
- **Forcing Children Out of Bilingual Education After Only Two Years:** On June 23, 1998, Republicans on the House Appropriations Subcommittee on Labor-HHS-Education voted to make major changes in the bilingual and immigrant education program, including capping the number of years a student could participate in a bilingual education program at only two years.
- **Eliminating Bilingual Education Programs.** In July 1998, Republicans passed H.R. 3892 - a bill sponsored by Rep. Riggs (R-CA) that would have transformed the current bilingual education program into an English language acquisition program, ignoring language-minority student achievement in other core subjects, such as math, science, and history. In addition, it would have set a two-year limit for public school limited-English-proficient children to learn English, after which they would be placed in English-only classrooms. H.R. 3892 would also have voided current compliance agreements between the Office of Civil Rights of the U.S. Department of Education and local education agencies that have failed to provide language-minority students with appropriate educational services. (House Vote #424, 9/10/98) Fortunately, the Senate never acted on the bill.
- **Gutting Hispanic Education Initiative.** In 1999, in voting for the FY 2000 GOP Labor-HHS-Education funding bill, Republicans voted to gut the Administration's Hispanic Education Initiative, by voting to deny \$169 million for Bilingual Education, HEP/CAMP, and Adult Education. This vote would have denied bilingual education training for 1,800 teachers; high school equivalency and college assistance for 2,400 migrant students; and ESL education for 600,000 adult learners when 1/3rd of recent immigrants do not have a high school diploma or its equivalent. (House Vote #549, 10/28/99) Fortunately, the President vetoed this bill.
- **Denying Bilingual Education & Adult Literacy Increases.** This year, Republicans passed the FY 2001 GOP Labor-HHS-Education Appropriations Bill, which cuts \$48 million (16%) from the President's request for bilingual education, effectively denying English language assistance to 143,000 children. The measure also provides \$50 million less than the President's budget for Adult Education ESL civics, denying 165,000 immigrants and limited English proficient adults the literacy and civics skills necessary to become successful participants in American society. In this measure, Republicans also voted to cut migrant education by \$25 million from the President's request. (House Vote #274, 6/14/00)

No to Class Size Reduction, Teacher Quality, School Modernization, Safe and Drug-Free Schools, & Help for Preschool

In addition to cutting education programs targeted to Hispanics, Republicans also have voted against other education programs important to Hispanics. Schools with high concentrations of Latino students are often in resource-deprived inner cities or rural communities. Schools in these settings are more likely to have overcrowded classrooms, inadequate technology, and deteriorating and unsafe conditions.

Voting Against Class-Size Reduction & Teacher Training -- Despite these critical needs, Republicans have voted against the class-size reduction initiative to put 100,000 new well-qualified teachers in the classroom to reduce the size of classes through grade 3. Last summer, rather than increasing the investment in teacher training, Republicans passed the Teacher Empowerment bill (H.R. 1995), which actually guts the bipartisan commitment to hire 100,000 new well-qualified teachers by placing in a single block grant funding for three different education programs: class size reduction, teacher training, and Goals 2000. (House Vote #320, 7/20/99) Furthermore, during consideration of that measure, Republicans voted against a plan to double funding for both class size reduction and teacher training. Specifically, Republicans voted against the Martinez substitute, which would have authorized \$1.5 billion in FY 2000 for the class-size reduction program, increasing to \$3 billion by FY 2005 and authorized \$1.5 billion in FY 2000 for teachers' professional development, increasing to \$3 billion by FY 2004. (House Vote #319, 7/20/99)

Blocking School Modernization -- Further, Republicans have refused the President's call for new school modernization and construction since 1996. Specifically, Republicans have failed to act on a bipartisan school modernization bill (H.R. 4094) worked out by Reps. Johnson (R-CT) and Rangel (D-NY) that would provide financial support for state and local governments to rebuild, repair, and renovate public schools by providing tax credits that would leverage about \$25 billion in bonds for school modernization. Indeed, this spring, Republicans stopped all consideration on the House Floor of the Education Savings Account proposal in order to prevent the passage of the bipartisan Johnson-Rangel measure.

Voting to Cut Funding for Safe and Drug-Free Schools -- According to the 1998 National Assessment of Educational Progress (NEAP), higher percentages of black and Hispanic 4th grade students reported feeling "very unsafe" at school than did white students. And yet this Republican-controlled Congress has voted over and over again to drastically cut funding for the Safe and Drug-Free Schools program – the only federal program dedicated to funding school programs to combat alcohol and drug use and violent behavior. For example, in 1995 and 1996, Republicans voted to cut the program by 57% below the prior-year level. This year, the Republicans on the Education and the Workforce Committee reported out the OPTIONS bill that would have eliminated the Safe and Drug-Free Schools program by block-granting it with the After-School Programs, although the OPTIONS bill was never brought to the Floor.

Finally, in addition to voting against the class size and school modernization initiatives and voting to cut the Safe and Drug-Free School program, Republicans have voted against much-needed increases for the education programs such as the following that are important to the Hispanic community.

- **Math and Reading Help (Title I) , After-School Programs, & Reading Programs**
 -- Latino students lag behind their elementary school peers in reading, math, and science proficiency, as well as in standardized tests. Tutoring, after-school programs, and Title I programs are some of the most effective initiatives to provide assistance to students who need the extra help. Yet, House Republicans passed the GOP FY 2001 Labor-HHS-Education Bill, which cuts reading instruction and tutoring for 100,000 children, slashes math and reading programs (Title I) for up to 650,000 children, and guts after-school programs by 40%, denying after-school services to 1.6 million children as compared to the President's budget. (House Vote #274, 6/14/00) Last fall, Republicans voted for the GOP FY 2000 Labor-HHS-Education bill (H.R. 3064 conference report) which funded 3,400 fewer after-school centers than requested by the Administration. (House Vote #549, 10/28/99) That measure also cut math and reading help under Title I by \$189 million below the Administration's request, denying help to 290,000 disadvantaged children, and cut the President's budget for the Reading Excellence Program by \$26 million, denying services to improve the reading skills of an estimated 100,000 children.
- **Head Start** – Hispanic children are over-represented in families living below the poverty line, and Head Start has proven very effective in leveling the playing field for disadvantaged students. Yet, Republicans voted for the FY 2001 GOP Labor-HHS-Education Bill, which cuts the President's budget for Head Start by \$600 million, depriving services to 53,000 low-income children. (House Vote #274, 6/14/00)

CALLING FOR PARTIAL PRIVATIZATION OF SOCIAL SECURITY

The future of Social Security is particularly important to Hispanics. That is because Hispanics have less private pension coverage, and depend heavily on Social Security as the primary source of income in their retirement years. Specifically, Social Security is the only source of retirement income for 33% of elderly Hispanics, according to the Social Security Administration. More than 85% of income in Latino households aged 65 and over comes from Social Security.

As such, Social Security plays a key role in lifting senior Latinos out of poverty. Without Social Security, the poverty rate for elderly Hispanics would increase from 19 percent to 61 percent.

Despite the importance of Social Security to Hispanics and other Americans, Republicans have a plan to squander the budget surplus on a risky scheme to partially privatize Social Security. Specifically, Republicans are calling for using \$1.1 trillion of budget surpluses for partially privatizing Social Security by establishing individual “carve-out” accounts. Under the GOP plan, benefits would not be guaranteed as they are under current law. Instead, the GOP plan would “carve out” money from the Social Security Trust Fund to set up individual accounts. As a result, the Social Trust Fund would become insolvent sooner. In fact, this GOP proposal could take 14 years off the life of the Social Security Trust Fund.

Because the Republican plan would “carve out” money from the Social Security Trust Fund to set up these new, proposed individual accounts, money would be drained from the Trust Fund and therefore Social Security benefits would have to be cut. Someone who is 30 in 2002 could see their benefits cut by 54% under the GOP plan when they retired in 2037.

Even when the investment income from their new, individual “carve-out” account is added in, this person’s retirement income could be cut by 20% under the Republican plan when they retired in 2037. Furthermore, according to the General Accounting Office, African Americans and Hispanics are more conservative than average in their investment strategies. Therefore, they are less likely to fare even this well under the GOP plan.

HOLDING UP CENTRAL AMERICAN DISASTER ASSISTANCE

While Republicans in previous years held up emergency disaster assistance in order to press for anti-Latino provisions (such as banning Census sampling and eliminating Food Stamps for legal immigrants), in 1999 Republicans played politics with emergency disaster assistance for Central America.

In this go-round, Republicans held up aid for our southern neighbors in the face of the worst natural disaster ever to strike the Western Hemisphere — Hurricane Mitch. This hurricane struck Central America in the fall of 1998, following Hurricane Georges which had caused severe damage in the Caribbean, and virtually wiped out the economies of Honduras and Nicaragua. Hurricane Mitch caused over 9,000 deaths and an estimated \$10 billion in damages. On February 16, 1999, the Clinton Administration sent to Congress a request for \$900 million in emergency disaster relief, targeted primarily at responding to Hurricane Mitch and Hurricane Georges.

However, the GOP Congress then made these Central American countries wait for the emergency disaster assistance for more than three months after the aid was requested by the President — assistance that these countries desperately needed to begin their much-needed economic recovery and rebuild their homes, roads, bridges, schools, and hospitals.

For more than three months, Republicans played a variety of political games that slowed passage of this key emergency measure. First, the GOP Congress stalled these emergency requests by adding highly controversial offsets to them. For example, House Republicans added such highly controversial offsets as rescinding funding from a program that aids in the disarming of Russian nuclear weapons and Senate Republicans added such highly controversial offsets as rescinding funding for food stamps, community development block grants, and public housing. By adding these controversial offsets, Republicans delayed the emergency supplemental bill. Here is how the Washington Post summarized the situation on April 22.

“The President asked earlier this year for about \$1 billion to aid the Central American countries decimated by last year’s massive Hurricane Mitch....Under the rules, emergency appropriations do not have to be offset by savings elsewhere in the budget...[However, the Republicans] insisted on offsetting Central American aid and chose as offsets some items to which they knew the Administration would object... [The Republicans] need to clean up and pass this bill in a form that the President can in good conscience sign.”

Washington Post editorial, 4/22/99

Further, Republicans also sought to treat the Hurricane Mitch aid differently from the other emergency funding in the bill. The GOP bill required that Hurricane Mitch aid be offset with spending cuts in other programs, and rejected Democratic attempts to eliminate these objectionable offsets. Specifically, House Republicans voted against the Obey (D-WI)

amendment to H.R. 1141, which would have struck cuts in domestic spending – that were applied only to the Central American relief provisions of the bill (and not to the agricultural and Kosovo provisions). Many argued that singling out the Central American provisions was discriminatory and that the cuts would be harmful to low-income households. (House Vote # 68, 3/24/99)

Then Republicans also used the emergency spending bill as a wagon on which to load up egregious environmental riders. Here is how the Washington Post described the situation on May 11:

"Capitol Hill assumed the appearance of a grand bazaar yesterday as champions of special interests accelerated efforts to add a raft of costly loan guarantees and other financial breaks to critical emergency spending legislation. ... Senate Budget Committee Chairman Pete V. Domenici (R-N.M.) promoted a \$500 million loan program for oil and gas interests, while Sen. Slade Gorton (R-Wash.) authored language to block the Clinton Administration from implementing a new interpretation for how much waste mining companies can put on federal land. And Sen. Richard C. Shelby (R-Ala.) is trying to use the bill to keep the Alabama sturgeon from being listed as an endangered species - a move that could hurt fishing interests."

Washington Post, 5/11/99

These egregious efforts by the GOP threatened existing protections to the Glacier National Park, undercut hard rock mining dumping regulations, and provided many oil and gas firms with costly and ineffective loan guarantees.

Not only did these Republican efforts hold up the Central American aid, they also delayed support for our troops in the Balkans, and support for our nation's farmers with emergency farm loans. Ultimately, a signable bill was not sent to the President until May 21, 1999.

BLOCKING A POSITIVE AGENDA FOR WORKING FAMILIES

While Republicans have been trying to pass legislation that is harmful to Hispanics, Democrats have been promoting an agenda that would improve the everyday lives of Hispanic families. However, Republicans have been working to block these initiatives. On a full range of issues important to Hispanic families – from Medicare prescription coverage for seniors, to health care, to a livable minimum wage, to equal pay for women – Republicans have attempted to stand in the way of meaningful progress. This section describes GOP efforts to block the following initiatives, as well as the importance of these initiatives to the Hispanic community:

- Medicare Prescription Drug Coverage;
- Expanding Access to Health Care;
- A Minimum Wage Increase; and
- Ensuring Equal Pay for Women.

Medicare Prescription Drug Coverage for Seniors

Democrats have made providing Medicare prescription coverage a top priority. Since June 1999, President Clinton and congressional Democrats have been fighting for a voluntary, affordable and reliable prescription drug benefit in Medicare for all of America's seniors.

Under the Democratic plan, Medicare would pay up to half of beneficiaries' prescription drug costs up to \$5,000 (when fully phased-in) and would cover all prescription drug costs once a beneficiary's out-of-pocket costs reached \$4,000 in a year. Further, the measure requires private benefit providers to negotiate lower drug prices for seniors, giving seniors the same types of discounts that other large purchasing groups (like HMOs) currently get.

A real Medicare prescription drug benefit is important to the Latino community, which has a significant senior population that is growing rapidly. Today, Medicare provides health insurance to more than two million senior and disabled Hispanics. Hispanics comprise about six percent of the Medicare population. Further, the senior Hispanic population is expected to increase by 341% in just thirty years, faster than any other ethnic group.

The Democratic Medicare prescription drug proposal will provide important help to Hispanic seniors, who are already twice as likely to have no supplemental coverage to Medicare. Specifically, 25% of Hispanic beneficiaries rely only on Medicare, with no supplemental health insurance -- meaning they have no prescription drug coverage at all. Only ten percent of white beneficiaries have Medicare as their only form of health coverage.

Further, prescription drug coverage is critical as Hispanic Medicare beneficiaries have higher than average health needs and lower incomes. Hispanics, especially Hispanic seniors, suffer a high incidence of chronic illnesses, such as diabetes and cardiovascular disease, which require high-cost prescription medicines. While having more prescription needs, Hispanic

Medicare beneficiaries are more likely to be living in poverty than white Medicare beneficiaries. Of Hispanic seniors, 66% earn less than \$16,700, and 30% earn less than \$8,350 annually. And seniors near the poverty line tend to pay more for their prescription medicines than do others. That is why the Democratic Medicare prescription drug proposal would waive all cost-sharing for the new prescription drug benefit for Medicare beneficiaries under 150 percent of poverty.

Despite the importance of this issue to the Hispanic community, in 1999, the GOP leadership and their special-interest allies, the drug companies, spent a year simply trying to kill the Democratic proposal outright.

Then in 2000, the GOP leadership and their special-interest allies decided the best way to kill real Medicare prescription coverage—which drug companies oppose because they claim it would endanger their high profit margins — was to offer a sham proposal of their own. Hence, on June 28, by the narrow margin of 217 to 214, House Republicans passed their own prescription coverage proposal — a proposal supported by the drug companies (House Vote #357, 6/28/00). This proposal provides incentives for private insurance companies to offer seniors drug-only policies. However, there is a fundamental flaw with this proposal — private insurance companies themselves say it won't work. As recently as June 13, Chip Kahn, head of the Health Insurance Association of America stated, "We continue to believe that the concept of so-called drug-only private insurance would not work in practice." As the Congress adjourns, no prescription drug bill has been sent to the President's desk.

Expanding Access to Health Care

Expanding access to health care is another key priority for Congressional Democrats and the Clinton Administration. In 1997, Democrats were successful in enacting the Children's Health Insurance Program (CHIP) (see next section, entitled "Key Democratic Accomplishments Important to Hispanic Americans").

Recognizing that too many Americans still do not have access to health care, in 2000, Democrats have proposed building on the CHIP program. The President and Vice President, along with congressional Democrats, have proposed a new Family Care program, which would give states the option to cover parents in the same plan as their children. The Family Care bill would also provide states with new incentives and options to extend coverage to 19 and 20-year olds, first-time pregnant women, and restore/create health benefits for legal immigrant children, pregnant women and parents through CHIP and Medicaid.

Democrats have introduced the Family Care measure in Congress (H.R. 4927), but Republicans have failed to act on this proposal. Instead, they have tried to masquerade tax breaks for the wealthy as a measure to improve access to health care. But Democrats will continue to work for more access to health care, despite Republican intransigence.

Minimum Wage – A Decent Wage for America’s Families

While Republicans have worked to enact legislation that would harm Hispanics, Democrats have led the fight to give a raise to America’s Hispanic working families through a minimum wage increase. In 1996, Democrats overcame GOP opposition to raising the minimum wage, and thus won a modest minimum wage increase – giving more than 1.6 million Hispanic workers a pay raise.

Despite the modest increase enacted in 1996, the minimum wage is still too low. Therefore, beginning in January 1998, President Clinton and congressional Democrats began pressing for a one-dollar increase over two years in the minimum wage. Indeed, in each of his last three State of the Union Addresses, President Clinton has highlighted his call for this increase. And yet, for three years, congressional Republicans have been blocking this minimum wage increase, even though this would mean a pay raise for nearly 2 million Hispanic workers.

This GOP delay is costing minimum wage workers and their families needed income. Right now, the purchasing power of the minimum wage is 29% below what it was in 1968, largely because, during the 1980s, a Republican Administration insisted on freezing the minimum wage.

An increase in the minimum wage is particularly important to minorities. While African-Americans represent 12% of the total work force, they represent 16% of those who would benefit from a minimum wage increase. Similarly, while 11% of the work force is Hispanic, 19% of those who would be directly affected by an increase in the minimum wage are Hispanic, according to the Economic Policy Institute. For those working full-time, the proposed increase would mean a \$2,080 pay raise.

After delaying action for two years, late in 1999, House and Senate Republicans decided that the best way to fight off a reasonable minimum wage increase was to play politics with the issue. Rather than simply passing a one-dollar increase over two years, the GOP minimum wage bills spread the increase out over three years—thereby shortchanging these workers. Then, displaying the height of cynicism, House and Senate Republicans both attached to their minimum wage bills packages of massive, special-interest tax breaks that they knew the Administration would veto.

Since its passage on the House Floor in March 2000, the minimum wage increase has not even gone to conference committee. Then, on August 23, in a letter to President Clinton, Speaker Hastert proposed tying the minimum wage increase to a tax cut package of \$76 billion over 10 years – smaller than the \$123 billion package House Republicans passed in March but still too large.

In these last few days of the congressional session, Democrats will fight vigorously to ensure that a fair minimum wage increase, along with a reasonable package of small business tax relief, is finally enacted into law.

Ensuring Equal Pay for Women

Finally, in order to better ensure that America's working families are being fairly and adequately compensated in the workplace, Democrats have also been working over the past four years to pass the Paycheck Fairness Act to help eliminate the wage gap that still exists between men and women. Reps. DeLauro, Norton, and Gephardt introduced the legislation in the House (H.R. 541) and Sen. Daschle introduced it in the Senate (S. 74). This bill is designed to correct the current pay disparity that is based on gender.

The provisions of the Paycheck Fairness Act include toughening the remedies of the Equal Pay Act by allowing compensatory and punitive damages when appropriate. This would put gender-based wage discrimination on equal footing with wage discrimination based on race or ethnicity and would make it easier for Equal Pay Act cases to proceed as class actions.

This legislation is key for America's working families, as women today earn only 74 cents for every dollar a man brings home. For women of color, these numbers are even lower. African-American women bring in 65 cents on the dollar, and Hispanic women earn a mere 57 cents on the dollar. Only when women are fairly compensated can America's Hispanic families get the paycheck they deserve and have enough to pay the bills.

Unfortunately, the GOP-controlled Congress has blocked any action on the Paycheck Fairness Act over the last four years.

KEY DEMOCRATIC ACCOMPLISHMENTS IMPORTANT TO HISPANIC AMERICANS

This DPC Special Report has provided an overview of how, ever since they won control of Congress in the 1994 elections, Republicans have pursued an anti-Hispanic agenda. However, this report has also shown that, on most issues, congressional Democrats and the Clinton Administration have been successful in preventing the harmful actions Republicans were attempting to pursue.

Hence, this Report documents not only Republican attempts to work against the interests of Hispanic families, but also Democratic successes in standing up for Hispanic families and successfully beating back harmful GOP actions. Indeed, this report has shown that, just as Republicans have spent the last six years pursuing anti-family policies, Democrats have spent the last six years fighting on behalf of working families, including Hispanic families, in the areas that are important to them such as education and health care.

For example, this report has shown that Democrats and the Clinton Administration have:

- Successfully prevented Republicans from implementing punitive measures to further restrict Hispanic immigration;
- Successfully restored SSI and Medicaid eligibility for disabled legal immigrants who entered the U.S. before the 1996 enactment of welfare reform;
- Successfully restored Food Stamps to 250,000 legal immigrants;
- Successfully restored some of the funding cuts that the GOP tried to impose on the Equal Employment Opportunity Commission, Civil Rights Commission, and Legal Services Corporation;
- Successfully prevented Republicans from eliminating the Community Reinvestment Act;
- Successfully prevented Republicans from rolling back key affirmative action programs;
- Successfully blocked GOP “English-only” legislation; and
- Successfully blocked a Republican attempt to give states the option to deny public education to undocumented immigrant children.

Unfortunately, most of these aforementioned Democratic successes were simply defensive – preventing Republicans from carrying out their anti-Hispanic policies. However, below are also four key examples of affirmative steps Democrats have been able to accomplish over the last six years, despite initial opposition from the GOP leadership, which have particular importance to Hispanic families, as follows:

- Winning key investments in improving education, including President Clinton’s Hispanic Education Action Plan;
- Winning full funding for the Cops-on-the-Beat Program;
- Creating HOPE Scholarships and Lifetime Learning Tax Credits; and
- Creating the Children’s Health Insurance Program (CHIP).

Winning Key Investments in Public Education

One major accomplishment of Democrats over the last six years that is important to Hispanic Americans has been winning key investments in public education.

In 1995, when the Republicans took control of Congress, they tried to impose the deepest education cuts in this nation's history – voting to cut FY 1996 education funding by \$4.2 billion or 17% below the FY 1995 level! Fortunately, Democrats were successful in reversing these draconian cuts – and each year since have been successful in reversing Republican-proposed education cuts and instead winning investments in key education programs. For example, following is a quick overview of the key investments in public education that Democrats won in 1998 and 1999:

Winning Key Education Funding in 1998

In 1998, in the original House GOP education funding bill (H.R. 4274), Republicans were trying to cut \$2 billion out of the Administration's key education initiatives. However, over the last several months of the 1998 legislative session, congressional Democrats and the Clinton Administration fought these proposed GOP cuts, and in the final negotiations on the FY 1999 Omnibus Appropriations bill, Democrats finally got the Republicans to back down on these proposed education cuts. Instead of cutting education, Democrats were able to win key investments in improving education in the final FY 1999 Omnibus Appropriations bill (PL 105-277), including the following:

- **Class Size Reduction Initiative.** Democrats won \$1.2 billion in FY 1999 for first-year funding for the Class Size Reduction Initiative, which is designed to hire new teachers in order to reduce the average class size in the early grades to 18 students per classroom nationwide – after a year of Republicans trying to block this initiative.
- **After-School Programs.** Democrats won \$200 million for After-School programs – \$140 million more than Republicans had proposed.
- **Education Technology.** Democrats won \$698 million for Education Technology programs – \$157 million more than Republicans had proposed.
- **Head Start.** – Democrats won a \$313 million increase over FY 1998 for Head Start – \$160 million more than Republicans had proposed.
- **GEAR-UP.** Democrats won \$120 million for GEAR-UP, a new college preparation initiative for low-income students. Republicans had proposed zero funding.
- **Hispanic-Serving Institutions.** Democrats won \$28 million for Hispanic-Serving Institutions program, which provides operating subsidies to Hispanic-serving institutions of higher education -- \$12 million more than Republicans had proposed.
- **President Clinton's Hispanic Education Action Plan, Overall.** Overall, Democrats won an increase in FY 1999 of \$524 million above the FY 1998 level for the

components of President Clinton's Hispanic Education Action Plan. This increase of \$524 million over FY 1998 included: an increase of \$301 million for Title I, Compensatory Education for Disadvantaged Students; an increase of \$70 million for TRIO college preparation programs; and an increase of \$25 million for Bilingual Education Professional Development, to begin to provide 20,000 teachers over five years with the training they need to teach Limited English Proficient students.

Winning Key Education Funding in 1999

Similarly, in 1999, in the original House GOP education funding bill (H.R. 3037), Republicans were trying to cut \$1.4 billion out of the Administration's key education initiatives. However, over the last several months of the 1999 legislative session, congressional Democrats and the Clinton Administration fought these proposed GOP cuts, and in the negotiations on the final FY 2000 Omnibus Appropriations bill, Democrats finally got the Republicans to back down on these proposed education cuts. Instead of cutting education, Democrats were able to win key investments in improving education in the final FY 2000 Omnibus Appropriations bill (PL 106-113), including the following:

- **Class Size Reduction Initiative.** Democrats won \$1.3 billion in FY 2000 for the second-year funding for the Class Size Reduction Initiative, which is designed to hire new teachers in order to reduce the average class size in the early grades to 18 students per classroom nationwide – after a year of Republicans trying to gut the initiative by putting it in a block grant with other programs.
- **After-School Programs.** Democrats won \$453 million for After-School Programs – \$153 million more than Republicans had proposed.
- **Education Technology.** Democrats won \$769 million for Education Technology programs – \$269 million more than Republicans had proposed.
- **Head Start.** Democrats won a \$607 million increase over FY 1999 for Head Start – \$507 million more than Republicans had proposed.
- **GEAR-UP.** Democrats won \$200 million for GEAR-UP, a college preparation initiative for low-income students. Republicans had proposed zero funding.
- **Hispanic-Serving Institutions.** Democrats won \$42.3 million for Hispanic-Serving Institutions program, which provides operating subsidies to Hispanic-serving institutions of higher education – \$14.3 million more than Republicans had proposed.
- **President Clinton's Hispanic Education Action Plan, Overall.** Overall, Democrats won an increase in FY 2000 of \$436 million above the FY 1999 level for the components of President Clinton's Hispanic Education Action Plan. This increase over FY 1999 includes: an increase of \$75 million for Title I, Compensatory Education for Disadvantaged Students; an increase of \$85 million for Adult Education; an increase of \$26 million for Bilingual and Immigrant Education; and an increase of \$45 million for TRIO college preparation programs.

Winning Full Funding for the Cops-on-the-Beat Program

A second major accomplishment of Democrats over the last six years that is important to Hispanic Americans has been winning full funding for the Cops-on-the-Beat Program each year for the last six years. One of the key concerns of the Hispanic community is providing the policies and resources needed to fight crime.

In 1994, a Democratic Congress enacted the original COPS Initiative, which was created to help local police departments hire an additional 100,000 police officers over six years. Due to Democratic persistence over the last few years in insisting on full funding for the Cops-on-the-Beat program despite GOP efforts to eliminate and/or underfund the program, in May 1999, it was announced that the COPS program had accomplished its original goal of funding the addition of 100,000 police officers on the beat – ahead of schedule and under budget.

Then, in 1999, to build on the enormous success of the original 100,000 COPS Initiative, the Clinton Administration and congressional Democrats fought for and won first-year funding for a five-year extension of the COPS Initiative (COPS II), putting an additional 50,000 police officers on the street over five years. This year, Clinton Administration and congressional Democrats are fighting for second-year funding for the COPS II Initiative.

The COPS program has been an unqualified success. Ever since the COPS program was begun in the Fall of 1994, crime rates in the U.S. have been dropping. In 1995, the violent crime rate in the United States fell by 4%, and it has continued to fall ever since – falling by 6% in 1996, by 3% in 1997, and by 6% in 1998. Furthermore, according to the latest statistics from the FBI, the nation's violent crime rate once again declined in 1999 – falling by 7%.

Despite the enormous success of the COPS program, Republicans have spent a great deal of time attempting to eliminate or cut the program. Indeed, one of the first things that House Republicans attempted to do when they took control of Congress in 1995 was to repeal the COPS program and replace it with an unrestricted law enforcement block grant. House Republicans voted three different times in 1995 to completely eliminate the COPS program.

For a couple of years, Republicans gave up on trying to eliminate the COPS Initiative. However, recently, the GOP has returned to their efforts to hack away at the COP's budget. Last year, House Republicans voted for H.R. 2670, the FY 2000 Commerce-State-Justice Appropriations bill, which severely underfunded the COPS program -- providing only \$325 million of the \$1.3 billion requested by the President for first-year funding for COPS II. This highly inadequate funding level would have undermined the program's goal of beginning funding for an additional 50,000 police officers on top of the 100,000 officers already funded. (House Vote #387, 8/5/99) During consideration of the bill, Republicans unanimously rejected the Bonior motion to recommit the bill with instructions to increase the funding for the COPS program by \$1 billion, bringing it up to the President's request of \$1.3 billion. (House Vote # 386, 8/5/99) Fortunately, the Administration was successful in restoring most of this funding in the final bill signed by the President.

This year, in June, House Republicans passed H.R. 4690, the GOP FY 2001 Commerce-Justice-State Appropriations in which the COPS program was once again severely

underfunded. The GOP bill provided only \$595 million of the \$1.3 billion requested by the President. (House Vote #326, 6/23/00) In the last days of this Congress, Democrats are fighting once again to ensure adequate funding for the COPS program in the final conference report on the bill.

Creating HOPE Scholarships and Lifetime Learning Tax Credits

A third major accomplishment of Democrats over the last six years that is important to Hispanic Americans was creating HOPE Scholarships and Lifetime Learning Tax Credits in 1997.

When congressional Democrats unveiled their Families First Agenda in June 1996, one of their top legislative priorities for the 105th Congress was making college and job training more affordable for millions of working families. Amazingly enough, even though Democrats did not win control of Congress in the 1996 elections, in August 1997, Democrats were able to celebrate the enactment of legislation (PL 105-34) that makes college and job training more affordable by providing significant new tax credits for education and training.

Specifically, the Democratic legislation included in the final tax bill provides a \$1,500 HOPE Scholarship for the first two years of college and a 20% Lifetime Learning Tax Credit for the third and fourth years of college, graduate school, and part-time education for those working to improve job skills (with the Lifetime Learning credit covering 20% of tuition up to a ceiling of \$5,000 until 2002 and a ceiling of \$10,000 thereafter).

Regarding the HOPE Scholarship, the Republicans first firmly opposed the idea and then fought to scale it back dramatically. Indeed, the House-passed Republican tax bill would have provided only a 50% HOPE tax credit covering tuition up to \$3,000 – thereby shortchanging the millions of students who attend community colleges. For example, under the GOP bill, a student attending a community college with a tuition of \$1,200 would have only received a HOPE Scholarship of \$600.

After weeks of Democrats standing up for community college students, Republicans eventually backed down and agreed to include Democratic provisions in the final tax bill providing the full HOPE Scholarship. Under these Democratic provisions, students in the first two years of college will receive a 100% credit for the first \$1,000 of tuition and a 50% credit for the next \$1,000 of tuition. For example, a student with a tuition of \$1,200 will receive a HOPE Scholarship of \$1,100 – \$500 more than under the GOP bill.

Regarding the Lifetime Learning Tax Credit, Republicans consistently firmly opposed the idea. Indeed, under the House-passed Republican tax bill, there was no tax relief for students in the third and fourth years of college, graduate students, and working Americans pursuing lifetime learning. Yet, once again, after weeks of Democrats standing up for these individuals, the Republicans once again eventually backed down and agreed to include in the final tax bill Democratic provisions providing the important 20% Lifetime Learning Tax Credit.

It is estimated that, currently, 10 million students are taking advantage of HOPE Scholarships and Lifetime Learning Tax Credits to help pay for college, graduate work, and/or job training.

Creating The Children's Health Insurance Program (CHIP)

Finally, a fourth major accomplishment of Democrats over the last six years that is important to Hispanic Americans was creating the Children's Health Insurance Program (CHIP) in 1997.

When Congressional Democrats unveiled their Families First Agenda in June 1996, another of their top legislative priorities for the 105th Congress was expanding health insurance for American children. Once again, amazingly enough, even though Democrats did not win control of Congress in the 1996 elections, 14 months later, in August 1997, Democrats were able to celebrate the enactment of legislation (PL 105-33) that created the Children's Health Insurance Program – providing \$24 billion in new funding to help states extend health insurance coverage to millions of uninsured children.

This was a remarkable achievement of congressional Democrats – working with the Clinton Administration over several months in 1997 to get this done.

For months and months in 1997, most Republicans resisted the Democratic proposal for expanding health insurance coverage for children. Finally, after months of congressional Democrats and the Clinton Administration making clear that children's health was a top priority, Republicans finally relented and agreed to the creation of a children's health insurance program.

The Democratic Children's Health Insurance Program (CHIP) provided \$4.2 billion in FY 1998 and a total of \$24 billion over five years to the states to provide health insurance for uninsured children.

Under the Democratic program, states can choose from several options for covering currently uninsured children, such as broadening their current Medicaid program or enrolling uninsured children in private health plans. The bill required that benefit packages must be equivalent to one of several benchmark plans – such as the health insurance program for state employees, the health maintenance organization with the largest enrollment in the state, or the federal employees' health benefits plan.

Creating the Children's Health Insurance Program (CHIP) was a major Democratic accomplishment. Indeed, according to the latest data available, as of June 2000, 2.5 million children across the country have so far been enrolled in CHIP.